

# Senate File 135 - Introduced

SENATE FILE 135

BY EDLER

## A BILL FOR

1 An Act relating to landlord notification of delinquency notices  
2 sent by utilities and landlords' ability to use security  
3 deposits to satisfy delinquent utility accounts.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 384.84, subsection 3, paragraph a, Code  
2 2021, is amended to read as follows:

3 a. A city utility or enterprise service to a property or  
4 premises, including services of sewer systems, storm water  
5 drainage systems, sewage treatment, solid waste collection,  
6 water, solid waste disposal, or any of these services, may be  
7 discontinued or disconnected if the account for the service  
8 becomes delinquent. Gas or electric service provided by a city  
9 utility or enterprise shall be discontinued or disconnected  
10 only as provided by section 476.20, subsections 1 through  
11 4, and discontinuance or disconnection of those services  
12 is subject to rules adopted by the utilities board of the  
13 department of commerce. Section 476.20, subsection 3A, applies  
14 to city utilities and enterprise services.

15 Sec. 2. Section 476.1B, subsection 1, Code 2021, is amended  
16 by adding the following new paragraph:

17 NEW PARAGRAPH. m. Enforcement of section 476.20, subsection  
18 3A.

19 Sec. 3. Section 476.20, Code 2021, is amended by adding the  
20 following new subsection:

21 NEW SUBSECTION. 3A. If the customer is a tenant, and if  
22 the owner or landlord of the property or premises has made  
23 a written request for notice to the utility, the notice of  
24 delinquency for nonpayment of account sent to the customer  
25 shall also be sent to the owner or landlord, or the designee  
26 of the owner or landlord. The notice shall be sent to the  
27 appropriate persons by ordinary mail not less than thirty days  
28 after the notice of delinquency is sent to the customer.

29 Sec. 4. Section 562A.12, subsection 3, paragraph a, Code  
30 2021, is amended by adding the following new subparagraph:

31 NEW SUBPARAGRAPH. (4) To satisfy debts for a tenant's  
32 delinquent utility account.

33

#### EXPLANATION

34 The inclusion of this explanation does not constitute agreement with  
35 the explanation's substance by the members of the general assembly.

1     This bill provides that if a customer of a public utility  
2 is a tenant, and if the owner or landlord of the property or  
3 premises has made a written request for notice to the public  
4 utility, the notice of delinquency for nonpayment of account  
5 sent to the customer shall also be sent to the landlord, the  
6 owner, or the designee of the owner or landlord. The notice  
7 shall be sent to the landlord, owner, or designee within 30  
8 days after the notice of delinquency is sent to the customer.

9     The bill applies to public utilities as defined in Code  
10 section 476.1 that furnish gas by piped distribution system  
11 or electricity to the public for compensation, water by piped  
12 distribution system to the public for compensation, or sanitary  
13 sewage or storm water drainage disposal by piped collection  
14 system to the public for compensation.

15     The bill also applies to electric public utilities having  
16 fewer than 10,000 customers, municipally owned utilities  
17 furnishing gas or electricity, gas public utilities having  
18 fewer than 2,000 customers, and city utilities or enterprise  
19 services.

20     The bill provides that the landlord may withhold from  
21 security deposit amounts as reasonably necessary to pay for  
22 delinquent utility accounts the tenant was responsible to pay  
23 during the tenancy.